

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Establishment - NMRs - Ponnur Municipality, Guntur District -  
Regularization of services of Sri M. Rama Rao, NMR as Attender in terms of  
G.O.Ms.No.212,Fin., dt.22-04-1994 - Orders - Issued.

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MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (G) DEPARTMENT

G.O.Rt.No.1406

Dated 06-10-2008

Read the following:-

1. G.O.Ms.No.212, Fin.& Plg.(PC.III)Dept., dt.22-4-1994.
2. From the APAT, order dt.18-11-93 in O.A.No.6237/93.
3. From APHC, order dt.5-11-98 in W.P.No.29936/98.
4. From the Commnr., MC, Ponnur, R.C.No.3260/98/C1,  
dt.05-02-1999.
5. From the CDMA, Lr.Roc.No.3905/99-M2, dt.16-3-2005.
6. From the Commnr., MC, Ponnur, R.O.C.No.3260/98/C1,  
dt.17-5-2005.
7. From the APAT, order dt.22-3-2007 in O.A.No.2421/05.
8. From the CDMA, Lr.Roc.No.3905/1999-M2, dt.5-9-07.
9. Govt. Memo.No.19052/G2/2007-1, Dated 01-10-2007.
10. From the CDMA, Lr.Roc.No.3905/1999-M2, dt.21-11-07,  
16-2-2008 & 10-6-2008,

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ORDER:-

Sri M. Rama Rao, S/o Subbaiah has been engaged in Ponnur Municipality as NMR w.e.f. 27-8-1988 and since the services were not regularized after completion of 5 years, the individual has filed O.A.No.6237/93 in APAT and the APAT in its order dt.18-11-93 has directed to consider the case of the applicant for regularization of his services in terms of G.O.Ms.No.212, Finance Department, dt.22-4-94. Since the order of APAT has not been implemented, the individual has filed W.P.No.29936/98 in APHC and the APHC in its order dt.5-11-98 has while disposing of the W.P., directed to consider the case of the applicant with regard to his claim for regularization of his services, if the claim of the applicant satisfies the requirement of the terms of G.O.Ms.No.212, within one month. Keeping in view, the orders of APHC in the reference 3<sup>rd</sup> read above, the MC, Ponnur Municipality has regularized the services of Sri M. Rama Rao as Attender on temporary basis in Ponnur Municipality w.e.f.05-02-1999 and the action of appointing him as Attender has been ratified by the Municipal Council vide C.R.No.31, dt.30-4-1999.

2. Subsequently, after a lapse of 6 years, he was served a notice for cancellation of his regularization vide proceedings Dt.17-5-2005 and also for termination of individual w.e.f. 17-5-2005. Aggrieved, the individual has filed O.A.No.2421/05 in APAT and the APAT in its order dt.22-3-2007 has observed that when a specific direction was issued by the Hon'ble High Court to regularize the services of the applicant, CDMA cannot direct the MC, Ponnur to cancel the regularization orders as the CDMA is not a higher authority than the Hon'ble High Court and ordered to continue the applicant in accordance with the orders passed by Municipality in proceedings dt.5-2-1999.

3. The Commissioner and Director of Municipal Administration has, therefore, requested the Government to issue orders regularizing the individual with retrospective effect to avoid legal complications.

(p.t.o.)

4. Government after careful examination of the matter, hereby accord permission to the Commissioner and Director of Municipal Administration for regularizing the services Sri M. Rama Rao, NMR, Ponnur Municipality, Guntur District as Attender in terms of G.O. 1<sup>st</sup> read above, subject to condition that he fulfills all the conditions of G.O. 1<sup>st</sup> read above and that the post of Attender is an initial level post and has direct recruitment facility and is a regular and substantive one and no qualified senior person is overlooked/omitted, as a special case and the regularization takes effect with retrospective effect ie., w.e.f. 5-2-1999, subject to outcome of appeal etc., without any prejudice.

5. The Commissioner and Director of Municipal Administration, Hyderabad shall take necessary action accordingly.

6. This order issues with the concurrence of Finance (PC.III) Department vide their U.O.No.19553/210/A1/PC.III/08, dated 9-7-2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PUSHPA SUBRAHMANYAM  
SECRETARY TO GOVERNMENT

To

The Commissioner and Director of Municipal Administration, Hyderabad.

Copy to:-

The Municipal Commissioner, Ponnur Municipality, Guntur District.

The Finance (PC.III) Department.

P.S. to Secy.(P), M.A.& U.D.Dept.

S.F./S.C.

//Forwarded::By Order//

SECTION OFFICER